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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: David Therrien et al.

Examiner: Chung, Phung M.

Serial No.: 10/659,128

Group Art Unit: 2138

Filed: September 10, 2003

Confirmation No.: 3561

Attorney Docket No.: 25452-016

Title: **METHOD AND APPARATUS FOR MANAGING DATA
INTEGRITY OF BACKUP AND DISASTER RECOVERY DATA**

MAIL STOP ISSUE FEE

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Transmitted herewith for filing in the present application are the following documents:

1. Amendment and Response Under 37 C.F.R. 1.121 (2 pgs.);
2. Replacement Sheets for Figures 5, 6 and 7 (3 pgs.);
3. Copy of Notice to File Corrected Applications Papers (4 pgs.); and
4. a Return Postcard.

The Director is hereby authorized to charge any additional fees that may be due to Deposit Account No. 50-0311, Ref. No. 25452-016, Customer No. 35437. If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 212/935-3000, New York, NY. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Boris A. Matvenko, Reg. No. 48,165

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UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No. : 10/659 128
Applicant : Therrien
Filing Date : 9/10/03
Date Mailed : 3/20/07

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 60 days from the mail date of this Notice within which to correct the informalities indicated below. If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to reply will result in the application being ABANDONED. **This period for reply is NOT extendable under 37 CFR 1.136(a).**

See attachment.

*A copy of this notice **MUST** be returned with the reply. Please address response to
"Mail Stop Issue Fee, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450".*

Your name
Office of Patent Publication
Phone: 703-308-9250, ext.

Application No. 10/659 128 Drawings filed 9/10/03

IDENTIFICATION OF DRAWING DEFICIENCIES

- ☐ There is a hole or the image thereof within the illustration. FIG(s) _____
- ☐ The character of the lines, numbers and letters is poor. FIG(s) 1
- ☐ The illustration is penetrated or traversed by a solid or broken line that is not intended to be part of the drawing, such as a dark line caused by a flaw in the copying process. FIG(s) _____
- ☐ An ink stamp or an image obscures part of the illustration. FIG(s) _____
- ☐ The drawing is marred by black smudges, obliterations, or fax/copier marks. FIG(s) _____
- ☐ Figure numbers are duplicated or missing. FIG(s). _____
- ☐ Numbers, letters, or reference characters in the drawing have been crossed out by hand or are illegibly handwritten. FIG(s) _____
- ☐ The drawing's background shows that the original drawing was made on graph paper or other paper with a pattern or decoration. FIG(s) _____
- ☐ The FIG. number label is placed in a location that causes the drawing to be read upside down. FIG(s) _____
- ☐ Data, a reference number, or part of the drawing is truncated or missing. FIG(s) _____
- ☐ The drawing is continued onto a second page (or more) without proper labeling under 37 CFR 1.84(u)(1). FIG(s) _____
- ☐ The drawing and/or the FIG. label contain(s) foreign language. FIG(s) _____
- ☐ Color drawings are present in this application but the following 37 CFR 1.84(a) requirements have not been met*:
 - ☐ Petition filed
 - ☐ Petition fee
 - ☐ 3 sets of color drawings
 - ☐ Color drawing paragraph

*If color drawings are not elected, then applicant **must respond** so stating. Also, references to color drawings in the specification, if any, must be amended.

COMMENTS:

Figs 5, 6, 7 - illegible Text